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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,697	03/11/2005	Shouichi Araki	2005_0393A	7294

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EXAMINER	
PARK, JEONG S	

ART UNIT	PAPER NUMBER
2154	

MAIL DATE	DELIVERY MODE
05/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/527,697	ARAKI ET AL.	
	Examiner	Art Unit	
	JEONG S. PARK	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 March 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3/11/2005, 8/4/2005, 4/22/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 18, 21 and 24 are drawn toward a software program which are merely software, per se. As such, software, per se does not establish a statutory category of invention. Correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 2, 4, 8-11 and 14-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (hereinafter Kondo)(U.S. Pub. No. 2003/0135539 A1).

Regarding claim 1, Kondo teaches as follows:

An operation log cooperation utilizing device (a particular server in figure 1, see, e.g., page 4, paragraph [0058]) which allows a plurality of devices (see, e.g., figure 1) to cooperatively use user's operation logs accumulated in the plurality of devices (a particular server collects information from a plurality of devices relating to user operation carried out on the media installed at home, see, e.g., page 4, paragraph [0058]) said operation log cooperation utilizing device comprising:

a device operation detection unit (data transceiver 11 in figure 3) operable to detect a user's operation on a device (the data transceiver collects information relating to operations, see, e.g., page 5, paragraph [0074]);

an operation log accumulation management unit (data base 13 in figure 3) operable to accumulate and manage the detected operation along with a predetermined attribute as an operation log (the data base stores the user operation information received from each media and all user operation information is stored on a per user ID basis, see, e.g., page 5, paragraph [0076]);

a current operation log transmission unit (data transceiver 23 in figure 4) operable to transmit the current operation log as a current operation log to another device (interpreted as the server 1 in figure 4)(the personal computer 2 in figure 4 transmits the collected user operation information to the server through the data transceiver, see, e.g., page 6, paragraph [0090]), the current operation log being accumulated when a user's operation is detected (the data base 13 in figure 3 stores the user operation information received from each media, see, e.g., page 5, paragraph [0076]);

a current operation log reception unit (data transceiver 11 in figure 3) operable to receive the current operation log transmitted from another device (the data transceiver collects information relating to operations, see, e.g., page 5, paragraph [0074]);

an associated operation log extraction unit (interpreted as matching degree calculator 14 in figure 3) operable to extract an operation log as an associated operation log from said operation log accumulation management unit, the operation log being in a

predetermined relation to the received current operation log (the matching degree calculator calculates a matching degree between the user operation information received from the medium of a particular user and each pieces of data on the data base, see, e.g., page 5, paragraph [0077]);

an associated operation log transmission unit (data transceiver 11 in figure 3) operable to transmit the extracted associated operation log (interpreted as value-added information, see, e.g., page 4, paragraph [0066]) to another device (the generated value-added information is transferred to the medium of the particular user through the data transceiver, see, e.g., page 5, paragraph [0078]);

an associated operation log reception unit (data transceiver 23 in figure 4) operable to receive the associated operation log (value-added information) transmitted from another device (the value-added information generated in the sever is received through the data transceiver, see, e.g., page 6, paragraph [0090]);

an associated operation log interpretation unit (controller 22 in figure 4 or 31 in figure 5) operable to interpret the received associated operation log (value-added information) using a predetermined operation log interpretation method (see, e.g., page 7, paragraph [0104]);

an associated operation log presentation unit operable to present the associated operation log to the user based on an interpretation result (audio output and video output in figure 5 and page 7, paragraph [0104]);

a cooperating operation details determination unit operable to determine cooperating operation details (interpreted as apparatus operation) for another device

using a predetermined log processing method based on the presented associated operation log (value-added information)(the receiver automatically controls apparatus operation in accordance with the value-added information received from the server, see, e.g., page 7, paragraph [0104]);

a cooperating operation details transmission unit operable to transmit the determined cooperating operation details to a corresponding device (data transceiver 33 in figure 5); and

a cooperating operation details reception unit operable to receive the cooperating operation details from another device (data transceiver 33 in figure 5).

Kondo does not specifically disclose that transmission the cooperating operation details between different devices, rather only uses internal transmission within the same device, therefore it would be obvious to one of ordinary skill in the art to transfer the determined cooperating operation details to the other corresponding device.

Regarding claim 2, Kondo teaches as follows:

the predetermined attribute includes at least one combination (see, e.g., page 15, paragraph [0249]) among a date and time identifier, a device identifier, an operation identifier, a content identifier, an application identifier, a service identifier and a user identifier (user operation information, see, e.g., page 4, paragraph [0062]-[0065]).

Regarding claim 4, Kondo teaches as follows:

an association degree of a device and a device operation is calculated, the device and the device operation being associated with the user's current situation (the matching degree calculator calculates a matching degree between the user operation

information received from the medium of a particular user and each pieces of data on the data base, see, e.g., page 5, paragraph [0077]) and said associated operation log presentation unit is operable to present the user with the associated operation log based on the association degree (the display provides a feedback to the user such as calculated results in the system, see, e.g., page 6, paragraph [0085]).

Regarding claim 8, Kondo teaches that in the predetermined log processing method, the presented log per se is selected (see, e.g., steps 32 and 34 in figure 6).

Regarding claim 9, Kondo teaches that an attribute value (user ID) of the selected log is updated (all user operation information is stored on a per user ID basis, see, e.g., page 5, paragraph [0076]).

Regarding claim 10, Kondo teaches a plurality of attribute values are combined (content ID and recording time, see, e.g., page 5, paragraph [0068] and page 15, paragraph [0249]).

Regarding claims 11, Kondo teaches that the value-added information received from the server (1 in figure 5) through the data transceiver (33 in figure 5) is stored in the memory (34 in figure 5)(see, e.g., page 7, paragraph [0101]).

It would be obvious that the memory can be used as the cooperating operation details accumulation management unit.

Regarding claim 14, Kondo teaches all the limitations of claim as presented above per claim 1 and the operation information is interpreted as the status information (see, e.g., page 4, paragraph [0056] and [0062]-[0065]).

Regarding claim 15, Kondo teaches that a server collects information relating to user operation (see, e.g., page 4, paragraph [0058]).

It would be obvious that the user operation is generated when the device status changes.

Regarding claim 16, it would be obvious to implement between a plurality of devices which are depend on one another to support the one's limited capability from the other device.

Regarding claims 17-26, Kondo teaches all the limitations of claims as presented above per claim 1.

4. Claims 3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (hereinafter Kondo)(U.S. Pub. No. 2003/0135539 A1) and further in view of Tenorio (U.S. Patent No. 6,983,276 B2).

Regarding claim 3, Kondo teaches all the limitations of claim except for determining a time range for searching the accumulated operation log.

Tenorio teaches that searching an event over predetermined time period (see, e.g., col. 11, line 52 to col. 12, line 17).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kondo with Tenorio to include searching within the predetermined period of time in order to search effectively and efficiently.

Regarding claims 5-7, Kondo further teaches the grouping of operation log (categorizing the user activity information, see, e.g., page 14, paragraph [0248]).

Kondo does not teach sorting the returned search results based on the result recurrence (equivalent applicant's frequency).

Tenorio teaches as follows:

a method of sorting search results according to user's preference (see, e.g., col. 15, lines 26-54); and

ranking and grouping the returned search results based on the number of counts for each attribute value (see, e.g., col. 15, line 25 to col. 16, line 6).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kondo with Tenorio to include the well known sorting and displaying method in the order of the frequent recurrence of the same operation log.

5. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (hereinafter Kondo)(U.S. Pub. No. 2003/0135539 A1) and Tenorio (U.S. Patent No. 6,983,276 B2), and further in view of Lightner et al. (hereinafter Lightner)(U.S. Patent No. 6,636,790 B1).

Regarding claims 12 and 13, Kondo in view of Tenorio teach all the limitations of claim as presented above except for predicting next data by comparing the current data with the stored data.

Lightner teaches a mathematical algorithm to predict the electrical or mechanical performance of the vehicle or a failure of a particular component (see, e.g., col. 3, lines 34-50).

It would be obvious to combine Lightner with Kondo in view of Tenorio in order to predict the next data based on the current and the stored data.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2154

May 6, 2008

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2154